

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

KATURA HEARD and)	
SONCERAI GIBSON,)	
)	
Plaintiff,)	No. 10 C 1050
)	
v.)	Judge Darrah
)	
CITY OF CHICAGO, CHICAGO POLICE)	Jury Demand
OFFICER M. GUTKOWSKI, #16228, and)	
CHICAGO POLICE OFFICER T. BALASZ)	
#15796)	
)	
Defendants.)	

AFFIDAVIT OF MARY MCDONALD

I, Mary McDonald, state that I am over the age of eighteen (18) years, am under no disability, and if called to testify at a hearing in the above-entitled case, would competently testify from my own personal knowledge as to the truth of the following facts.

1. I am an Assistant Corporation Counsel for the City of Chicago representing Defendants City of Chicago, Police Officer Mark Gutkowski and Police Officer Timothy Balasz ("Defendants") in this matter. In defending this case I have worked approximately 38.25 hours. A reasonable hourly rate for my services as an experienced attorney is \$275.00/hr. as indicated by the Laffey Matrix and Seventh Circuit Opinions.

2. In the scope of my job duties, copies of the documents listed on Defendants' Petition were printed and/or copied by myself for purposes of reviewing documents, responding to motions and documenting the case file. I examined my file kept in the ordinary course of business and determined that the copies set forth in my petition were printed and/or duplicated by myself in connection with Defendants' defense.

3. In addition, costs to obtain fees transcripts were incurred. A summary of these costs and fees has been listed on pages 1-4 of Defendants' Petition.

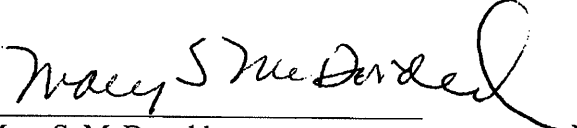
FURTHER AFFIANT SAYETH NAUGHT



Mary S. McDonald
Assistant Corporation Counsel

CERTIFICATION

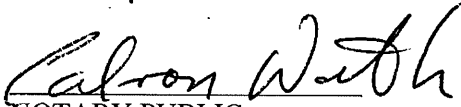
Under penalty of perjury, I Mary McDonald, certify that the statements set forth in this instrument are true and correct, except as to matters herein stated to be on information and belief and as to such matters I certify that I verily believe the same to be true.



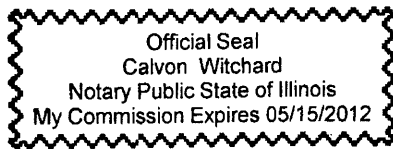
Mary S. McDonald

Signed and Sworn to Before
me on this 8 day

of September 2010



NOTARY PUBLIC



PETITION OF MARY S. MCDONALD

DATE	TIME	WORK PERFORMED	COST \$275/HR.¹
3/7/10	0.25	Received copy of complaint	\$68.75
3/8/10	1.0	Received case file from Law Department, review of complaint and pacer.	\$275.00
3/9/10	.50	Determination of what documents needed to be ordered from the police department.	\$137.50
3/17/10	.50	Review of Circuit Court of Cook County Documents	\$137.50
3/22/10	0.25	Looking for OEMC Event Query, ordered from OEMC.	\$68.75
3/31/10	1.25	Finalized answer to complaint, affirmative defenses and proofed answers, review of police reports.	\$343.75
3/29/10	0.25	Phone call to client	\$68.75
3/29/10	1.0	Meeting with client	\$275.00
3/25/10	0.25	Review of March 17, 2009 Hearing from Circuit Court of Cook County	\$68.75
4/1/10	1.00	Final Review of Answer to Complaint, filed complaint with United States District Court, completed form to have courtesy copies sent over to the court.	\$275.00
3/24/10	1.0	Draft of answer and police reports for client review	\$275.00
4/6/10	1.0	Drafted Initial 26(a)(1) Disclosures and Reviewed Arrest Report (two), Reviewed 9 page arrest history of Convicted Felon Katura Heard, Reviewed 6 pages of inventories, reviewed Illinois State Police Crime Lab Report of February 27, 2009, Reviewed, Original Case Incident Report and reviewed arrest photograph of Soncerai Gibson	\$275.00

¹Utilizing the Laffey Matrix and Seventh Circuit opinions as guides, Assistant Corporation Counsel Mary McDonald's rate is calculated at \$ 275/hr. Ms. McDonald has practiced law since 1989, the last six of which has been in the area of civil rights litigation.

4/7/10	1.0	Drafted interrogatories to plaintiffs, production request to plaintiffs, expert request, Reviewed allegations in the complaint again for purposes of drafting discovery.	\$275.00
4/7/10	0.25	Research whether officers have additional lawsuits	\$68.75
4/8/10	2.0	Letter to Bill Foutris with initial 26(a)(1) Disclosures, Protective Order, Bates ## 0001-0054, Initial Discovery to Plaintiffs and Notice of Depositions.	\$550.00
4/14/10	0.25	Telephone Conversation with Bill Foutris	\$68.75
4/15/10	0.25	Reviewed Minute Order of Judge Darrah	\$68.75
05/4/10	0.25	Reviewed Plaintiff's Initial Disclosures	\$68.75
5/17/10	1.0	Review of Complaint, meeting with client	\$275.00
5/20/10	.50	Review plaintiffs initial discovery documents, determined if additional documents needed to be ordered from the police department	\$137.50
6/2/10	.50	Drafted motion for protective order, reviewed protective order approved of by Judge Darrah.	\$137.50
6/3/10	0.25	Letter to Bill Foutris regarding the fact that Defendants had not received plaintiff's discovery back.	\$68.75
6/7/10	0.50	Final review of motion for protective order and filed it with the court. Review of Bill Foutris June 7, 2010 letter. Review of protective order, discussion with supervisor plaintiff's request to not have C.R. confidential documents returned and drafted letter of June 7, 2010	\$137.50
6/8/10	0.50	Review of plaintiff's criminal history, verification of status of parole.	\$137.50
6/9/10	2.25	Review of June 7 th letter from Bill Foutris Regarding proposed protective order. Meeting with Client and review of documents.	\$618.75

6/10/10	1.0	Meeting with supervisor regarding Defendants' answers to discovery. Review of Plaintiffs' Answers to Defendants' Discover.	\$275.00
6/11/10	0.50	Discussion with Office of Legal Affairs regarding Defendant City of Chicago draft of answer to discovery	\$137.50
6/13/10	0.25	Reviewed Amended Notice of Depositions	\$68.75
6/14/10	2.0	Drafting of discovery answers for Defendant Officers and City of Chicago, Review and Request Documents.	\$550.00
6/15/10	1.0	Reviewed draft of answers to Defendants' Response to Plaintiff's First Request For Production of Documents (10 pages), Reviewed Draft of Defendant Gutkowski's Answers to Plaintiff Heard's First Set of Interrogatories (10 Pages), Reviewed draft of Defendant City of Chicago's Response to Plaintiff Heard's First Set of Interrogatories (6 Pages)	\$275.00
6/15/10	1.0	Status Judge Darrah	\$275.00
6/16/10	0.25	Letter to Bill Foutris with Defendant's Discovery Enclosed, Copied Discovery and Mailed.	\$68.75
6/17/10	0.50	Review of OEMC, Event Query and minute order of Judge Darrah.	\$137.50
6/29/10	0.50	Review of June 2, 2010 letter (4 pages) from Bill Foutris to Mary McDonald.	\$137.50
7/1/10	1.0	Review of Bate Stamped Documents FCRL ## 0055-0456	\$275.00
7/9/10	.50	Telephone conversation with client review of reports for depositions	\$137.50
7/12/10	2.5	Drafted 5 Page Letter to Bill Foutris In Response to his June 25 Rule 37 letter.	\$687.50
7/15/10	0.25	Discussion regarding notifications to Officers Annor, Armstead, Connolly, Gutkowski, Kuciver and West for deposition prep.	\$68.75

7/20/10	0.25	Letter to Bill Foutris regarding confirmation that all depositions were being canceled in this case and that plaintiff was planning on voluntarily dismissing the case and raising Defendants objections to case being dismissed without prejudice.	\$68.75
7/22/10	0.25	Review of Plaintiff's Motion to Voluntarily Dismiss	\$68.75
7/26/10	1.0	Draft of Defendants' Response in Opposition to Case Being Dismissed Without Prejudice, filed response.	\$275.00
8/2/10	0.25	Letter to Bill Foutris regarding objections to case being dismissed without prejudice.	\$68.75
8/16/10	0.25	Review of letters and motions for court	\$68.75
8/17/10	0.50	Motion Call with Judge Darrah	\$137.50
8/18/10	0.25	Review Minute Order of 8/17/10	\$68.75
9/2/10	1.0	Appearance before Judge Darrah	\$275.00
9/2/10	1.0	Review of Most Recent arrest of Katura Heard and Data Sheet for Search Warrant # 09 SW8374	\$275.00
9/6/10	4.5	Reviewing file and drafting petition of work done on file pursuant to Judge Darrah's ruling on 9/2/10.	\$1237.50
		<u>TOTAL</u>	\$ 10,518.75
		<u>COSTS IN CONNECTION WITH DEFENSE</u>	
3/17/10		Certified Copy of Circuit Court of Cook County Criminal file	\$31.00
3/7/10-9/6/10		2000 pages of copies by Defendants in answering discovery, drafting pleadings and motions in connection with this lawsuit at \$.15/copy	\$300.00
		<u>TOTAL</u>	\$331.00